

Message Text

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45

ACTION EB-11

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E.O. 11652: N/A

TAGS: ETRN, BR

SUBJECT: CIVAIR - ALLEGATIONS OF FAVORITISM TOWARD VARIG
PASSENGERS

REF: STATE 131548

1. CONGEN OFFICER DISCUSSED BRAZILIAN VISA REQUIREMENT
MENTIONED IN REFTEL WITH LOCAL PAN AMERICAN AND BRANIFF
REPS AS WELL AS WITH LEGAL OFFICERS AT CIVIL AVIATION
DIRECTORATE (DAC). DISCUSSIONS INDICATE FOLLOWING SITUATION
EXISTS.

2. BRAZILIAN REGULATIONS REQUIRE PERSONS BORN IN COMMUNIST
COUNTRIES, IRRESPECTIVE OF THEIR PRESENT NATIONALITY, TO
OBTAIN VISAS BEFORE VISITING BRAZIL. THESE REGULATIONS APPLY
REGARDLESS OF AIRLINE THEY USE. THUS STATEMENT IN REFTEL
THAT VARIG PASSENGERS ARE EXEMPT FROM THIS REQUIREMENT IS
INACCURATE.

3. IN ACTUAL PRACTICE, APPLICATION OF REGULATION IS EXTREMELY
LAX OR ALMOST NON-EXISTENT. BRANIFF STATES THAT ALTHOUGH
ITS OPERATIONAL MANUALS CITE BRAZILIAN VISA REQUIREMENT,
COMPANY'S TICKETING EMPLOYEES IGNORE IT FOR ALL PRACTICAL
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PURPOSES. PAN AMERICAN CITES VISA REQUIREMENT IN ITS OPERATIONAL

MANUALS AND PURSUES SOMEWHAT MORE CAUTIOUS POLICY THAN BRANIFF, PROBABLY BECAUSE IT CARRIES MORE PEOPLE SUBJECT TO REGULATION THAN DOES BRANIFF. PANAM, AND ALLEGEDLY VARIG ALSO, HAS ESTABLISHED FOLLOWING PROCEDURE. WHEN CUBAN-BORN US CITIZEN AT MIAMI, FOR EXAMPLE, REQUESTS TICKET TO BRAZIL, PANAM MIAMI CABLES INFORMATION ON POTENTIAL PASSENGER TO PANAM RIO. LATTER THEN CONSULTS IMMIGRATION OFFICIALS TO OBTAIN INFORMAL CLEARANCE FOR PERSON TO ENTER BRAZIL WITHOUT VISA. IF CLEARANCE OBTAINED, PANAM ISSUES TICKET EVEN THOUGH TRAVELER LACKS VISA. PROCESS REQUIRES APPROXIMATELY TWO DAYS. THUS IF SOMEONE WISHES TO TRAVEL IMMEDIATELY, AIRLINE MUST DECIDE WHETHER OR NOT TO ISSUE TICKET WITHOUT PRIOR INFORMAL CLEARANCE FROM BRAZILIAN IMMIGRATION, THEREBY EXPOSING PASSENGER TO POSSIBLE DIFFICULTIES UPON ARRIVAL IN BRAZIL. AIRLINES ARE GENERALLY WILLING TO RUN THIS RISK SINCE PERSONS WITHOUT VISAS HAVE BEEN HAVING NO DIFFICULTY IF THEY PRESENT QUOTE ACCEPTABLE APPEARANCE UNQUOTE, I.E. NOT HIPPIES. IN FACT, PANAM REP HAD NO PROBLEM ENTERING BRAZIL AFTER EXPIRATION HIS VISA EVEN THOUGH HE IS CUBAN-BORN.

4. LETTER IN REFTEL APPARENTLY SENT BECAUSE OF FORCEFUL COMPLAINT TO PANAM FROM CUBAN-BORN US CITIZEN. THIS BUSINESS-MAN FLEW PANAM FLIGHT FROM NEW YORK TO MIAMI, WHERE HE WAS REFUSED ONWARD BOARDING TO BRAZIL BECAUSE HE LACKED BRAZILIAN VISA. USING HIS PANAM TICKET, HE WENT DIRECTLY TO VARIG AND ALMOST IMMEDIATELY BOARDED FLIGHT FOR RIO. GIVEN COMMENTS OF LOCAL PANAM AND BRANIFF REPS REPORTED IN PAR-3 ABOVE, CONGEN INCLINED BELIEVE VARIG MIAMI EMPLOYEE WAS, FOR SOME UNEXPLAINED REASON, MORE WILLING THAN HIS PANAM COUNTERPART TO EXPOSE PASSENGER TO POTENTIAL DIFFICULTY WITH RIO IMMIGRATION OFFICIALS.

5. PRESENT OPERATIONAL SITUATION, THOUGH ILL-DEFINED AND OPEN TO ABUSE, DOES NOT APPEAR TO BE CONSCIOUS POLICY OF FAVORITISM FOR NATIONAL AIRLINE. RATHER, IT APPEARS TO BE A QUOTE NATIONAL DEFENSE MEASURE UNQUOTE THAT HAS FALLEN INTO VIRTUAL DISUSE.
BOONSTRA

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